IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

PIL Writ Petition No.12 of 2006

Sanjay G Agaldare .. Petitioner.
vs
The State of Maharashtra & Ors. ..Respondents

Mr.F.L. Berarwala with Ms Rohini Dandekar i/b
M/s Berarwala & Co for petitioner.
Mr. E.P.Bharucha with Ms Priti Purandare for respondent Nos. 2 to 7
Mr. Y.S. Jahagirdar, Senior Advocate, with Mr. S.G.Surana for respondent no. 8
Mr K.R. Belosey Govt Pleader for respondent Nos.1 and 9
Mr. Vijay Pandey i/b Mr V.S Jabra for respondent Nos. 10 and 11.

CORAM: H.L.GOKHALE, Acg C.J.,&
V.M. KANADE J.
DATE: JANUARY 17, 2007.

P.C.:-

Heard Mr.Berarwala in support of this petition. This petition was initially filed by two persons, out of whom the first petitioner later on came to be deleted. The second petitioner is stated to be a Municipal Corporator and he has challenged the construction of two buildings on Gaffar Khan Road. The main objection is that it is supposed to be coming on a nallah. This objection has been explained by Mr. Bharucha, learned counsel for the Municipal Corporation that the building is not coming on any nallah. Two buildings are being constructed under the SRA scheme as permitted under the Development Control Regulation 33(10). One building is for erstwhile slum dwellers

wherein 5 quarters are retained for Municipal Corporation Officials and other building is of course for private component, without which such a scheme cannot work.

There is no reason to entertain this petition. Petition is dismissed accordingly.

ACTING CHIEF JUSTICE

V.M.KANADE, J.